

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION**

UNITED STATES OF AMERICA,

v.

ANDRE DONNELL KEYES,

Defendant.

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Case No. 5:15cr00003

**By: Michael F. Urbanski
United States District Judge**

ORDER

This matter was referred to the Honorable Joel C. Hoppe, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b)(3), for the purpose of conducting a plea hearing and a plea colloquy under Rule 11 of the Federal Rules of Criminal Procedure and preparing proposed findings of fact and a recommendation as to the acceptance of such plea as tendered. The Magistrate Judge filed a report and recommendation on May 26, 2015, recommending that defendant's plea of guilty to the lesser included offense of Count One of the Superseding Indictment be accepted. No objections to the report and recommendation have been filed, and the court is of the opinion that the report and recommendation should be adopted in its entirety.

Accordingly, it is **ORDERED** that the report and the findings and recommendation contained therein are **ADOPTED**, defendant's plea of guilty to the lesser included offense of Count One of the Superseding Indictment is **ACCEPTED**, and the plea agreement is **ACCEPTED**, with one modification. Page 1 of the plea agreement sets forth the maximum statutory penalty for the lesser included offense of Count One and lists the maximum fine as \$2,000,000. Pursuant to 21 U.S.C. § 841(b)(1)(B), the maximum statutory fine is \$5,000,000. Additionally, as correctly reflected in the plea agreement, defendant faces a period of incarceration from five to forty years, plus a period of supervised release of at least 4 years.

Defendant is adjudged **GUILTY** of the lesser included offense of Count One of the Superseding Indictment.

It is **SO ORDERED**.

The Clerk is directed to send a certified copy of this Order to all counsel of record.

Entered: June 15, 2015

/s/ Michael F. Urbanski

Michael F. Urbanski
United States District Judge